IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6023 OF 2006

Navi Mumbai Ghauk Bhajipala
Vyapari Association & Anr. ....Petitioners.

V/s

1. The Director of Agricultural
Marketing and Ors. ....Respondents.

Shri G.S. Godbole for the Petitioners.

Shri Pradip Patil, AGP for the respondent Nos. 1 to 4.

Shri N.N. Bhadrashete for the respondent Nos. 5 & 6.

Shri V.M. Thorat for the intervener.

CORAM: R.M.S. KHANDEPARKAR &
V. M. KANADE, JJ.

DATE : 27th September, 2006

P.C.:

1. The learned advocate for respondent Nos. 5 and 6 states that the respondents have already communicated to the Petitioners that at the time of renewal of licenses, correctness of all the necessary details would be ascertained and only on satisfaction of compliance of requisite terms and conditions renewal would be granted.

2. In view of the said statement and the fact that all the licenses are considered for renewal in the month of September 2006 i.e. in the current month, question of interference in the matter by writ court does not arise at this stage. In fact, the learned advocate appearing on behalf of respondent Nos. 5 and 6 has reiterated the said assurance given to the petitioners on behalf of the said respondents under their letter dated 07/08/2006.

3. As regards the contention on behalf of the Petitioners that in spite of the Director having ordered inquiry, no inquiry has been conducted, it is seen that direction in that regard was given on 26/07/2006. The Director is sufficiently competent enough under the Act to take appropriate action in case of failure to comply with his directions issued to other respondents. Since direction was given only on 26/07/2006 to hold the necessary inquiry and considering the statement made on behalf of respondent Nos. 5 and 6 that at the time of renewal all precautions would be taken, we do not find even in that regard to interfere in the matter in writ

jurisdiction at this stage. There being no case made out for interference, therefore, the Petition is liable to be rejected. Suffice to observe that we are accepting the statement made on behalf of respondent Nos. 5 and 6 that due precautions would be taken while renewing the licenses and the authorities will ensure that all the requisite terms and conditions are duly satisfied in accordance with the provisions of law. So also, in case, the Petitioners furnish necessary details about any illegality caused in grant of renewal of license, we hope that the respondents - authorities will look into the same and take appropriate action in accordance with the provisions of law.

4. With this observation, Petition is rejected.

(R.M.S. KHANDEPARKAR, J.)

(V. M. KANADE, J.)